

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLSTATE INSURANCE COMPANY; ALLSTATE	:	
INDEMNITY COMPANY; ALLSTATE PROPERTY &	:	
CASUALTY INSURANCE COMPANY; ALLSTATE	:	NO. 5:16-cv-04276-EGS
VEHICLE & PROPERTY INSURANCE COMPANY	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
ELECTROLUX HOME PRODUCTS, INC.	:	

**DEFENDANT, ELECTROLUX HOME PRODUCTS, INC.’S
AMENDED PRETRIAL MEMORANDUM**

Defendant, Electrolux Home Products, Inc. (“Electrolux”), by and through its undersigned counsel, hereby submits this Amended Pretrial Memorandum in accordance with the Order of this Honorable Court dated September 20, 2018.

I. BRIEF STATEMENT OF THE NATURE OF THE ACTION AND BASIS FOR COURT’S JURISDICTION

This lawsuit is a subrogation action in which the Plaintiffs, Allstate Insurance Company, Allstate Indemnity Company; Allstate Property & Casualty Insurance Company and Allstate Vehicle & Property Insurance Company (“Allstate”), seek recovery from Electrolux as a result of 8 unrelated fires at their insureds’ homes involving 8 different dryers.

This Court has jurisdiction over this action pursuant to the provisions of 28 U.S.C. §1332 as diversity of citizenship exists between the parties and the amount in controversy exceeds \$75,000.00.

II. COUNTER-STATEMENT OF THE FACTS¹

Allstate alleges that Electrolux ball-hitch dryers are defective in design and warnings. However, the ball-hitch design has been in use for over 60 years. There has been no finding by the CPSC or any government entity that Electrolux ball-hitch dryers are defective. There has been no recall of the dryers. Further, there have been a total of five trials with allegations against Electrolux identical to those in this case and each trial resulted in a defense verdict.

Lint is a natural by-product of the laundering process and literature is widely disseminated that fires can occur when lint builds up in the dryer and/or venting. Fires are a risk for all clothes dryers if the dryer is not properly installed, used or maintained. The U.S. Fire Administration has found that the leading cause of dryer fires is the owner's failure to clean. Almost every residential insurance company, including Allstate, provides instructions to its insureds for the proper maintenance and cleaning of their dryers to avoid the risk of fire. *See* Dryer Vent Maintenance (<https://blog.allstate.com/wp-content/uploads/2014/09/Dryer-Vent-Maintenance.pdf>) and Power Surges, Dirty Lint Traps and Other Hidden Home Dangers (<https://blog.allstate.com/hidden-home-dangers-p2/>).

Notwithstanding Allstate's position in this matter, Allstate clearly acknowledges the inherent risk of fire and property damage to homeowners who fail to properly maintain their dryers. Allstate's website does not single out Electrolux or any particular dryer design as the source of fires. All insureds are instructed to clean their dryer venting regardless of the type of dryer they own. Lint buildup and the need for cleaning the dryer and venting are common to all dryers. It is the very reason that Allstate, Electrolux and other dryer manufacturers instruct their customers to clean their dryers at regular intervals. In fact, dryer design and manufacturing

¹ Please note that the parties are submitting their Pretrial Memoranda simultaneously and Electrolux has not yet received Allstate's Statement of the Facts.

standards require ALL MANUFACTURERS to include specific information printed in their instruction manuals regarding the need for periodic professional maintenance and cleaning of the dryer and venting.

The design of the dryers provides for proper airflow necessary to exhaust lint created during the drying process when the dryers are installed, used and maintained in accord with Electrolux's instructions. With proper installation, use and maintenance, lint does not accumulate in hazardous amounts in the dryer or external venting. Reduced airflow caused by improper installation, use and maintenance results in increased lint accumulation in the dryer and venting.

Standards have been put in place to prevent or reduce the very small, but well-known risk of fires in dryers. The dryers at issue in this matter were designed, manufactured and tested in accord with the voluntary safety standards set forth in UL 2158 (electric dryers) and ANSI Z21.5.1 (gas dryers). The subject dryers were accompanied with clear warnings and instructions for installation, use and maintenance to prevent excess lint accumulation and the risk of fire.

III. LIST OF MONETARY DAMAGES CLAIMED

Please refer to Allstate's Pretrial Memorandum.

IV. LIST OF TRIAL WITNESSES

Anselmo Almodovar (liability/damages)
1132 East 3rd Street
Bethlehem, PA 18015

Brunilda Almodovar (liability/damages)
1132 East 3rd Street
Bethlehem, PA 18015

Rachael Bullene (liability/damages)
Mamselle Salon
1255 Woodbourne Road
Levittown, PA 19057

Amanda Jackson (liability/damages)
61 Midway Avenue
Langhorne, PA 19047

Benson Christie (liability/damages)
200 Lincoln Avenue
King of Prussia, PA 19406

Cynthia Christie (liability/damages)
200 Lincoln Avenue
King of Prussia, PA 19406

Fire Marshal William Daywalt (liability/damages)
Upper Merion Township Fire Department
175 West Valley Forge Road
King of Prussia, PA 19406

Terry Fisher (liability)
Appliances Unlimited
4365 Perkiomen Avenue
Reading, PA 19508

Robert Gray (liability/damages)
Birchwood at Concord
1112 Smithbridge Road
450 Parker Place, No. 804
Glen Mills, PA 19342

Elizabeth Gutierrez (liability/damages)
449 South 43rd Street
Philadelphia, PA 19104

Gerry Gutierrez (liability/damages)
449 South 43rd Street
Philadelphia, PA 19104

Daniel Quinn (liability/damages)
136 Jackson Street
Philadelphia, PA 19148

Jennifer Quinn (liability/damages)
136 Jackson Street
Philadelphia, PA 19148

Greg Venbrux (liability/damages)
6653 Wilkins Avenue
Pittsburgh, PA 15217

Salome Venbrux (liability/damages)
6653 Wilkins Avenue
Pittsburgh, PA 15217

Marc Weiss (liability/damages)
10 Madison Court
Newtown, PA 18940

Lisa Weiss (liability/damages)
10 Madison Court
Newtown, PA 18940

Peter Silman (liability)
Electrolux Home Products, Inc.
10200 David Taylor Drive
Charlotte, North Carolina

Ron Masa (liability)
Electrolux Home Products, Inc.
10200 David Taylor Drive
Charlotte, North Carolina

Corporate Designee – Electrolux Home Products, Inc. (liability)
10200 David Taylor Drive
Charlotte, North Carolina

Frank Schwalje, P.E. (liability)
Affiliated Engineering
777 New Durham Road
Edison, New Jersey

Kenneth Garside, P.E. (liability)
Affiliated Engineering
777 New Durham Road
Edison, New Jersey

J.P. Purswell, Ph.D., P.E., CPE (liability)
Purswell & Purswell
Ergonomics & Safety Consulting
2035 Mulligan Drive
Colorado Springs, Colorado

John F. McHenry, III, RPA (damages)
McHenry Adjustment Company, Inc.
202 Lakeside Drive
Southampton, Pennsylvania

Dominic Campellone (damages)
Allstate Insurance Company
1200 Atwater Drive
Malvern, Pennsylvania

Elizabeth Guano (damages)
Allstate Insurance Company
1200 Atwater Drive
Malvern, Pennsylvania

Corporate Designee – Allstate Insurance Company (liability/damages)
1200 Atwater Drive
Malvern, Pennsylvania

Electrolux reserves the right to call and question any witness identified by Allstate in this matter and to amend and/or supplement its witness list prior to trial. Electrolux further reserves the right to call and question rebuttal witnesses not specifically identified herein based upon the testimony presented at trial.

V. LIST OF TRIAL EXHIBITS

Exhibit No.	Description of Exhibit
D-1	DVD animation showing free-standing gas dryer components and operation
D-2	Airflow Diagram (gas dryer)
D-3	DVD animation showing free-standing electric dryer components and operation
D-4	Airflow Diagram (electric dryer)
D-5	Exemplar rigid venting
D-6	Exemplar semi-rigid venting
D-7	Exemplar flexible foil venting

D-8	Exemplar flexible plastic/vinyl venting
D-9	Exemplar free-standing gas dryer and component parts
D-10	Exemplar free-standing electric dryer and component parts
D-11	Exemplar gas laundry center and component parts
D-12	Almodovar – Frigidaire brand, free-standing electric dryer – Model No. FER6600FS0 and Serial No. XD70810247 (dryer involved in subject fire)
D-13	Almodovar – Owner’s Guide (EHP-Allstate Consolidated-Almodovar 000001-000012)
D-14	Almodovar – Installation Instructions (EHP-Allstate Consolidated-Almodovar 000061-000068)
D-15	Almodovar – Operating Instructions (EHP-Allstate Consolidated-Almodovar 000033-000036)
D-16	Almodovar – Wiring Diagram (EHP-Allstate Consolidated-Almodovar 000037-000038)
D-17	Almodovar – Customer Checklist (EHP-Allstate Consolidated-Almodovar 000039)
D-18	Almodovar – On-Product Label (EHP-Allstate Consolidated-Almodovar 000040)
D-19	Almodovar – On-Product Label (EHP-Allstate Consolidated-Almodovar 000041)
D-20	Almodovar – Factory Parts Catalog (EHP-Allstate Consolidated-Almodovar 000042-000041)
D-21	Almodovar – Bill of Materials (EHP-Allstate Consolidated-Almodovar 000055-000060)
D-22	Almodovar – UL Certificate of Compliance
D-23	Almodovar – City of Bethlehem Fire Report
D-24	Almodovar – Fire Scene Photographs produced by Allstate
D-25	Almodovar – Evidence Chain of Custody produced by Allstate
D-26	Almodovar – Photographs – Kenneth Garside, P.E. (taken March 29, 2017)
D-27	Almodovar – Report of Kenneth Garside, P.E. (dated May 24, 2018)
D-28	Almodovar – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-29	Almodovar – Report of John McHenry (dated May 21, 2018)

D-30	Bullene – Kenmore brand, gas laundry center, Model No. 417.97972701 and Serial No. XE81902320 (dryer involved in subject fire)
D-31	Bullene – Owner’s Guide (EHP-Allstate Consolidated-Bullene 000001-000032)
D-32	Bullene – Installation Instructions (EHP-Allstate Consolidated-Bullene 000087-000102)
D-33	Bullene – Operating Instructions (EHP-Allstate Consolidated-Bullene 000053-000060)
D-34	Bullene – Wiring Diagram (EHP-Allstate Consolidated-Bullene 000061)
D-35	Bullene – Customer Checklist (EHP-Allstate Consolidated-Bullene 000062)
D-36	Bullene – On Product Label - Warning (EHP-Allstate Consolidated-Bullene 000063)
D-37	Bullene – On Product Label – Dryer Instructions with 1-800 Number (EHP-Allstate Consolidated-Bullene 000064)
D-38	Bullene – On Product Label – Mfg Home-Closet (EHP-Allstate Consolidated-Bullene 000065)
D-39	Bullene – On Product Label – Remove Shipbolt (EHP-Allstate Consolidated-Bullene 000066-000067)
D-40	Bullene – On Product Label – Warning – Gear Case Spins (EHP-Allstate Consolidated-Bullene 000068)
D-41	Bullene – On Product Label - Warning (EHP-Allstate Consolidated-Bullene 000069)
D-42	Bullene – On Product Label - Warning (EHP-Allstate Consolidated-Bullene 000070)
D-43	Bullene – On Product Label – Washing Instructions (EHP-Allstate Consolidated-Bullene 000086)
D-44	Bullene – Factory Parts Catalog (EHP-Allstate Consolidated-Bullene 000071-000085)
D-45	Bullene – Bill of Materials (EHP-Allstate Consolidated-Bullene 000103-000116)
D-46	Bullene – ANSI/CSA Certificate of Compliance
D-47	Bullene – Middletown Fire Marshal Report
D-48	Bullene – Photographs - Middletown Fire Marshal
D-49	Bullene – William Penn Fire Company Report
D-50	Bullene – Fire Scene Photographs produced by Allstate
D-51	Bullene – Evidence Chain of Custody produced by Allstate

D-52	Bullene – Photographs – Frank Schwalje, P.E. (taken July 31, 2018)
D-53	Bullene – Report of Frank Schwalje, P.E. (dated September 12, 2018)
D-54	Bullene – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-55	Bullene – Report of John McHenry (dated May 21, 2018)
D-56	Christie – Frigidaire brand, free-standing gas dryer – Model No. GLGR1042FS0 (dryer involved in subject fire)
D-57	Christie – Owner’s Guide (EHP-Allstate Consolidated-Christie 000003-000009)
D-58	Christie – Installation Instructions (EHP-Allstate Consolidated-Christie 000053-000060)
D-59	Christie – Operating Instructions (EHP-Allstate Consolidated-Christie 000030-000033)
D-60	Christie – Wiring Diagram (EHP-Allstate Consolidated-Christie 000034-000035)
D-61	Christie – Customer Checklist (EHP-Allstate Consolidated-Christie 000036)
D-62	Christie – On-Product Label – Prefab Home-Closet (EHP-Allstate Consolidated-Christie 000037)
D-63	Christie – On-Product Label – Clearance (EHP-Allstate Consolidated-Christie 000038)
D-64	Christie – On-Product Label – Warning with 1-800 Number (EHP-Allstate Consolidated-Christie 000039)
D-65	Christie – Factory Parts Catalog (EHP-Allstate Consolidated-Christie 000040-000052)
D-66	Christie – Bill of Materials (EHP-Allstate Consolidated-Christie 000061-000068)
D-67	Christie – ANSI/CSA Certificate of Compliance
D-68	Christie – Fire Scene Photographs – Rich O’Neill (taken June 17, 2016)
D-69	Christie – Upper Merion Township Fire Marshal Report
D-70	Christie – Photographs - Upper Merion Township Fire Marshal
D-71	Christie – Upper Merion Township Fire Report
D-72	Christie – Upper Merion Township Police Report
D-73	Christie – Fire Scene Photographs produced by Allstate
D-74	Christie – Evidence Chain of Custody produced by Allstate

D-75	Christie – Photographs – Frank Schwalje, P.E. (taken July 31, 2018)
D-76	Christie – Report of Frank Schwalje, P.E. (dated September 12, 2018)
D-77	Christie – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-78	Christie – Report of John McHenry (dated May 21, 2018)
D-79	Gray – Kenmore brand, free-standing electric dryer – Model No. 417.83142201 (dryer involved in subject fire)
D-80	Gray – Owner’s Guide (EHP-Allstate Consolidated-Gray 000004-000011)
D-81	Gray – Installation Instructions (EHP-Allstate Consolidated-Gray 000012-000023)
D-82	Gray – Operating Instructions (EHP-Allstate Consolidated-Gray 000024-000025)
D-83	Gray – Wiring Diagram (EHP-Allstate Consolidated-Gray 000026-000027)
D-84	Gray – Customer Checklist (EHP-Allstate Consolidated-Gray 000028)
D-85	Gray – On-Product Label (EHP-Allstate Consolidated-Gray 000029)
D-86	Gray – On-Product Label (EHP-Allstate Consolidated-Gray 000030)
D-87	Gray – On-Product Label (EHP-Allstate Consolidated-Gray 000031)
D-88	Gray – Repair Parts List (EHP-Allstate Consolidated-Gray 000032)
D-89	Gray – Bill of Materials (EHP-Allstate Consolidated-Gray 000043-000048)
D-90	Gray – UL Certificate of Compliance
D-91	Gray – Concordville Fire Marshal Report
D-92	Gray – Photographs - Concordville Fire Marshal
D-93	Gray – Concordville Fire & Protective Association Report
D-94	Gray – Fire Scene Photographs produced by Allstate
D-95	Gray – Evidence Chain of Custody produced by Allstate
D-96	Gray – Photographs – Kenneth Garside, P.E. (taken March 28, 2017)
D-97	Gray – Report of Kenneth Garside, P.E. (taken May 24, 2017)

D-98	Gray – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-99	Gray – Report of John McHenry (dated May 21, 2018)
D-100	Gutierrez – Frigidaire brand, free-standing gas dryer – Model No. GLGQ332AS2 (dryer involved in subject fire)
D-101	Gutierrez – Owner’s Guide (EHP-Allstate Consolidated-Gutierrez 000001-000008)
D-102	Gutierrez – Installation Instructions (EHP-Allstate Consolidated-Gutierrez 000009-000017)
D-103	Gutierrez – Operating Instructions (EHP-Allstate Consolidated-Gutierrez 000018-000019)
D-104	Gutierrez – Wiring Diagram (EHP-Allstate Consolidated-Gutierrez 000020-000021)
D-105	Gutierrez – Customer Checklist (EHP-Allstate Consolidated-Gutierrez 000022)
D-106	Gutierrez – On-Product Labels (EHP-Allstate Consolidated-Gutierrez 000023)
D-107	Gutierrez – On-Product Labels (EHP-Allstate Consolidated-Gutierrez 000024)
D-108	Gutierrez – On-Product Labels (EHP-Allstate Consolidated-Gutierrez 000025)
D-109	Gutierrez – Factory Parts Catalog (EHP-Allstate Consolidated-Gutierrez 000026-000037)
D-110	Gutierrez – Bill of Materials (EHP-Allstate Consolidated-Gutierrez 000041)
D-111	Gutierrez – ANSI/CSA Certificate of Compliance
D-112	Gutierrez – Philadelphia Fire Marshal Report
D-113	Gutierrez – Fire Scene Photographs produced by Allstate
D-114	Gutierrez – Evidence Chain of Custody produced by Allstate
D-115	Gutierrez – Photographs – Kenneth Garside, P.E. (taken September 10, 2013)
D-116	Gutierrez – Report of Kenneth Garside, P.E. (dated May 24, 2018)
D-117	Gutierrez – Report of J.P. Purswell (dated May 30, 2018)
D-118	Gutierrez – Report of John McHenry (dated May 21, 2018)
D-119	Quinn – Frigidaire brand, free-standing electric dryer - Model No. GLER642AS3 (dryer involved in subject fire)
D-120	Quinn – Owner’s Guide (EHP-Allstate Consolidated-Quinn 000053-000060)

D-121	Quinn – Installation Instructions (EHP-Allstate Consolidated-Quinn 000016-000024)
D-122	Quinn – Operating Instructions (EHP-Allstate Consolidated-Quinn 000025-000026)
D-123	Quinn – Wiring Diagram (EHP-Allstate Consolidated-Quinn 000027)
D-124	Quinn – Customer Checklist (EHP-Allstate Consolidated-Quinn 000028)
D-125	Quinn – On-Product Labels (EHP-Allstate Consolidated-Quinn 000029)
D-126	Quinn – On-Product Labels (EHP-Allstate Consolidated-Quinn 000030)
D-127	Quinn – On-Product Labels (EHP-Allstate Consolidated-Quinn 000031)
D-128	Quinn – Factory Parts Catalog (EHP-Allstate Consolidated-Quinn 000032-000042)
D-129	Quinn – Bill of Materials (EHP-Allstate Consolidated-Quinn 000047-000052)
D-130	Quinn – UL Certificate of Compliance
D-131	Quinn – Philadelphia Fire House, Engine 53 Report
D-132	Quinn – Fire Scene Photographs produced by Allstate
D-133	Quinn – Evidence Chain of Custody produced by Allstate
D-134	Quinn – Photographs – Kenneth Garside, P.E. (taken March 29, 2017)
D-135	Quinn – Report of Kenneth Garside, P.E. (dated May 24, 2018)
D-136	Quinn – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-137	Quinn – Report of John McHenry (dated May 21, 2018)
D-138	Venbrux – Frigidaire brand, free-standing gas dryer – Model No. GLGR331AS4 and Serial No. XD4112294 (dryer involved in subject fire)
D-139	Venbrux – Owner’s Guide (EHP-Allstate Consolidated-Venbrux 000001-000008)
D-140	Venbrux – Installation Instructions (EHP-Allstate Consolidated-Venbrux 000055-000063)
D-141	Venbrux – Operating Instructions (EHP-Allstate Consolidated-Venbrux 000064-000065)
D-142	Venbrux – Wiring Diagram (EHP-Allstate Consolidated-Venbrux 000025-000026)

D-143	Venbrux – Customer Checklist (EHP-Allstate Consolidated-Venbrux 000027)
D-144	Venbrux – On-Product Label (EHP-Allstate Consolidated-Venbrux 000029)
D-145	Venbrux – On-Product Label (EHP-Allstate Consolidated-Venbrux 000030)
D-146	Venbrux – On-Product Label (EHP-Allstate Consolidated-Venbrux 000031)
D-147	Venbrux – Factory Parts Catalog (EHP-Allstate Consolidated-Venbrux 000032-000043)
D-148	Venbrux – Bill of Materials (EHP-Allstate Consolidated-Venbrux 000048-000054)
D-149	Venbrux – ANSI/CSA Certificate of Compliance
D-150	Venbrux – Pittsburgh Fire Department Incident Report
D-151	Venbrux – Pittsburgh Fire Department Supplemental Incident Report
D-152	Venbrux - Pittsburgh Fire Department Scene Photographs
D-153	Venbrux – Pittsburgh Police Department Incident Report
D-154	Venbrux – Fire Scene Photographs produced by Allstate
D-155	Venbrux – Evidence Chain of Custody produced by Allstate
D-156	Venbrux – Photographs - Kenneth Garside, P.E. (taken March 28, 2017)
D-157	Venbrux – Report of Kenneth Garside, P.E. (dated May 24, 2018)
D-158	Venbrux – Report of J.P. Purswell (dated May 30, 2018)
D-159	Venbrux – Report of John McHenry (dated May 21, 2018)
D-160	Weiss – Kenmore brand, free-standing gas dryer – Model No. 417.93142202 (dryer involved in subject fire)
D-161	Weiss – Owner’s Guide (EHP-Allstate Consolidated-Weiss 000001-000016)
D-162	Weiss – Installation Instructions (EHP-Allstate Consolidated-Weiss 000017-000028)
D-163	Weiss – Operating Instructions (EHP-Allstate Consolidated-Weiss 000029-000030)
D-164	Weiss – Wiring Diagram (EHP-Allstate Consolidated-Weiss 000031-000032)
D-165	Weiss – Customer Checklist (EHP-Allstate Consolidated-Weiss 000033)

D-166	Weiss – On-Product Label (EHP-Allstate Consolidated-Weiss 000034)
D-167	Weiss – On-Product Label (EHP-Allstate Consolidated-Weiss 000035)
D-168	Weiss – On-Product Label (EHP-Allstate Consolidated-Weiss 000036)
D-169	Weiss – On-Product Label (EHP-Allstate Consolidated-Weiss 000037)
D-170	Weiss – Factory Parts Catalog (EHP-Allstate Consolidated-Weiss 000038-000050)
D-171	Weiss – Bill of Materials (EHP-Allstate Consolidated-Weiss 000054-000059)
D-172	Weiss – ANSI/CSA Certificate of Compliance
D-173	Weiss – Photographs – Brian Canova (taken November 5, 2015)
D-174	Weiss – Newtown Emergency Services Department Fire Investigative Report
D-175	Weiss – Photographs – Joseph Martindell (taken October 16, 2015)
D-176	Weiss – Fire Scene Photographs produced by Allstate
D-177	Weiss – Evidence Chain of Custody produced by Allstate
D-178	Weiss – Photographs – Frank Schwalje, P.E. (taken July 31, 2018)
D-179	Weiss – Report of Frank Schwalje, P.E. (dated September 12, 2018)
D-180	Weiss – Report of J.P. Purswell, Ph.D. (dated May 30, 2018)
D-181	Weiss – Report of John McHenry (dated May 21, 2018)
D-182	Curriculum Vitae of Frank Schwalje, P.E.
D-183	Demonstrative Trial Exhibits - Frank Schwalje, P.E.
D-184	File Materials of Frank Schwalje, P.E.
D-185	Curriculum Vitae of Kenneth Garside, P.E.
D-186	Demonstrative Trial Exhibits - Kenneth Garside, P.E.
D-187	File Materials of Kenneth Garside, P.E.
D-188	Curriculum Vitae of J.P. Purswell, Ph.D.

D-189	Demonstrative Trial Exhibits - J.P. Purswell, Ph.D.
D-190	File Materials of J.P. Purswell, Ph.D.
D-191	Curriculum Vitae of John McHenry
D-192	Demonstrative Trial Exhibits - John McHenry
D-193	File Materials of John McHenry
D-194	CPSC Close Letter (dated June 25, 2018) (EHP-Allstate PA Consolidated 001290-001291)
D-195	Electrolux - Dryer Production History – 1988-2014 (EHP-Allstate PA Consolidated 001256)
D-196	Electrolux - Laundry Division Production History – 1937-2007
D-197	Electrolux – AHAM – Reported Data – 2003-2009
D-198	“The Share-of-Market Picture,” <i>Appliance</i> , September issues, 1994-2009
D-199	“The Life Expectancy/Replacement Picture,” <i>Appliance</i> , Vol. 66, No. 7, September 2009: 37-38
D-200	Industry Clothes Dryer U.S. Shipment Data, AHAM Electric Dryers, 2001-2005
D-201	Industry Clothes Dryer U.S. Shipment Data, AHAM Electric Dryers, 2005-2009
D-202	Industry Clothes Dryer U.S. Shipment Data, AHAM Gas Dryers, 2001-2005
D-203	Industry Clothes Dryer U.S. Shipment Data, AHAM Gas Dryers, 2005-2009
D-204	10 CFR 430.23, Title 10, Code of Federal Regulations, part 430, section 23
D-205	Integrated Product Development Manual (EHP-Allstate PA Consolidated 000483-000641)
D-206	Clothes Catching Between Lower Felt & Drum Glide (Electrolux Service Bulletin – December 2004)
D-207	Front Felt Seal – LN0906
D-208	Gaps Forming on Front Felt Seal – LN1001 (Rev. A – January 15, 2010)
D-209	Gaps Forming on Front Felt Seal – LN1001 (Rev. B – May 12, 2010)
D-210	Service Manual – 27-inch – Gas & Electric Models - 2002
D-211	Service Manual – 27-inch – Gas & Electric Models - 2003

D-212	Service Manual – Gas & Electric Laundry Centers - 2003
D-213	Service Manual – 5.75 Cu. Ft. Dryer Gas & Electric – Good and Better Models and Gas & Electric Laundry Centers - 2005
D-214	Service Manual – 5.75 Cu. Ft. Dryer Gas & Electric 6000 and 7000 Models - 2006
D-215	Servicing Affinity & Gallery Series – 5.8 Cu. Ft. Dryers Gas & Electric
D-216	Technical Training Manual - 2000
D-217	Technical Training Manual - 2003
D-218	Technical Training Manual - 2004
D-219	Technical Training Manual - 2006
D-220	Technical Training Manual - 2008
D-221	Engineering drawings – Almodovar dryer
D-222	Engineering drawings – Bullene laundry center
D-223	Engineering drawings – Christie dryer
D-224	Engineering drawings – Gray dryer
D-225	Engineering drawings – Gutierrez dryer
D-226	Engineering drawings – Quinn dryer
D-227	Engineering drawings – Venbrux dryer
D-228	Engineering drawings – Weiss dryer
D-229	METI Official Decision
D-230	ANSI Z21.5.1 – Standard for Gas Clothes Dryers
D-231	UL 2158 – Standard for Electric Clothes Dryers
D-232	Guide for Fire and Explosion Investigations – NFPA 921
D-233	Standard for Professional Qualifications for Fire Investigator – NFPA 1033
D-234	ASTM Sections – Preservation of Scene and Examination of Evidence

D-235	Thermal Degradation and Ignition Characteristics of Clothes Dryer Lint
D-236	FEMA's U.S. Fire Administration National Fire Data Center, Report on Clothes Dryer Fires in Residential Buildings (2002-2004), January 2007
D-237	FEMA's U.S. Fire Administration National Fire Data Center, Report on Clothes Dryer Fires in Residential Buildings (2008-2010), August 2012
D-238	NFPA – The U.S. Home Products Reports (Appliances and Equipment Involved in Fires) - 2002
D-239	NFPA - Home Fires Involving Clothes Dryers and Washing Machines - 2009
D-240	NFPA - Home Fires Involving Clothes Dryers and Washing Machines - 2012
D-241	NFPA - Home Fires Involving Clothes Dryers and Washing Machines - 2017
D-242	Product Safety Tips: Clean those lint traps – UL promotes clothes dryer safety
D-243	Analysis of Industry Data on Clothes Dryer Fire Incidents, August 2002 (AHAM)
D-244	Clothes Dryer Safety Fact Sheet (AHAM)
D-245	CPSC - Final Report on Electric Clothes Dryers and Lint Ignition Characteristics and Appendices A through I - May 2003
D-246	CPSC – Clothes Dryer Project – Final Report on Electric and Gas Clothes Dryers - February 2000
D-247	CPSC – Report on Electric and Gas Clothes Dryer Tests Under Clothes Dryer Project – March 1999
D-248	CPSC – 2002-2004 Residential Fire Loss Estimates - July 2007
D-249	CPSC – 2006-2008 Residential Fire Loss Estimates - July 2011
D-250	CPSC Safety Alert – Overheated Clothes Dryers Can Cause Fires – Publication 5022
D-251	CPSC – An Evaluation of Using Indicators to Inform Consumers of Clothes Dryer Status – June 2011
D-252	CPSC – Consumer Opinion Forum, Survey #3, September 2010
D-253	CPSC – Overheated Dryers Can Cause Fires – June 2003
D-254	CPSC – Clothes Dryer Fires – Market Information – November 1998
D-255	CPSC – Data Summary on Gas and Electric Clothes Dryers – May 1998
D-256	Memorandum – CPSC, dated March 12, 1999 – Subject: Report on the electric and gas clothes dryer tests under clothes dryer project
D-257	“Clothes Dryer Safety,” National Fire Protection Association, Quincy, Massachusetts

D-258	Clothes Dryer Fire Safety Outreach Materials – February 2018 (FEMA)
D-259	Fact Sheet 2006-2010 – Home Fires Involving Clothes Dryers and Washing Machines (NFPA)
D-260	Fact Sheet 2010-2014 – Home Fires Involving Clothes Dryers and Washing Machines (NFPA)
D-261	Dryers and Washing Machines (NFPA)
D-262	Compression effects on pressure loss in flexible HVAC ducts, 2002 (U.S. Department of Energy)
D-263	ASHRAE Duct Design – Fluid Resistance (American Society of Heating Refrigeration and Air Conditioning Engineers), 2001 Fundamentals Handbook; 2000 Systems and Equipment Handbook
D-264	“Dryer Safety Tips,” National Fire Protection Association, Quincy, Massachusetts, www.nfpa.org
D-265	“Prevent Dryer Fires,” FireFactors, Office of the State Fire Marshal, Commonwealth of Massachusetts, Stow, Massachusetts, www.mass.gov/dfs
D-266	Analyzing Lint Deposition Within the Residential Electric Clothes Dryer, Delmar “Trey” Morrison
D-267	Assessing Electric Dryer Lint Fire Cause Scenarios, Delmar “Trey” Morrison
D-268	Video – Carl King – Dryer Assembly/Disassembly on June 8, 2012
D-269	Photographs – Carl King – Dryer Assembly/Disassembly on June 8, 2012
D-270	Dryer Drum Bearing Test Video
D-271	Dryer Drum Bearing Test Protocol
D-272	Dryer Drum Bearing Comparison Videos – Shop Vac
D-273	Dryer Drum Bearing Comparison Videos – Smoke Alarm
D-274	Webster City Lint Accumulation Testing – Free-Standing Gas Dryer Protocol
D-275	Webster City Lint Accumulation Testing - Free-Standing Gas Dryer Photographs (set up)
D-276	Webster City Lint Accumulation Testing – Free-Standing Gas Dryer Photographs (restricted)
D-277	Webster City Lint Accumulation Testing – Free-Standing Gas Dryer Photographs (normal)
D-278	Webster City Lint Accumulation Testing - Free-Standing Gas Dryer – Data Logs – Dryer (restricted)
D-279	Webster City Lint Accumulation Testing - Free-Standing Gas Dryer – Data Logs – Dryer (normal)

D-280	Webster City Lint Accumulation Testing - Free-Standing Gas Dryer – End Data
D-281	Webster City Lint Accumulation Testing – Free-Standing Electric Dryer Protocol
D-282	Webster City Lint Accumulation Testing - Free-Standing Electric Dryer Photographs (set up)
D-283	Webster City Lint Accumulation Testing – Free-Standing Electric Dryer Photographs (restricted)
D-284	Webster City Lint Accumulation Testing – Free-Standing Electric Dryer Photographs (normal)
D-285	Webster City Lint Accumulation Testing - Free-Standing Electric Dryer – Data Logs – Dryer (restricted)
D-286	Webster City Lint Accumulation Testing - Free-Standing Electric Dryer – Data Logs – Dryer (normal)
D-287	Webster City Lint Accumulation Testing - Free-Standing Electric Dryer – End Data
D-288	Back Pressure Chart
D-289	AHAM HLD-1-1992
D-290	ASTM D2960-05
D-291	Front Seal Air Flow Testing
D-292	Front Seal Air Flow Testing - Video
D-293	Front Seal Air Flow Testing - Photographs
D-294	Dryer Vent Maintenance - Allstate https://blog.allstate.com/wp-content/uploads/2014/09/Dryer-Vent-Maintenance.pdf
D-295	Power Surges, Dirty Lint Traps and Other Hidden Home Dangers – Allstate https://blog.allstate.com/hidden-home-dangers-p2/?intcid=ILC-Internal-Search-Results-120808:dryer:result%204&_ga=1.140891569.2034793281.1483666880
D-296	Avoid Common Household Hazards – Allstate https://blog.allstate.com/avoid-common-household-hazards/
D-297	“Mayhem” Series Video – Allstate https://www.youtube.com/watch?v=tibN00wXlXk
D-298	Turner, W. C. (Ed.). (1993). <i>Introduction to industrial and systems engineering</i> . Pearson College Division
D-299	Misra, K.B. (2008) Maintenance engineering and maintainability: An introduction in Handbook of performability engineering. New York: Springer
D-300	Hoffman, Mathew E. “The Consumer Product Safety Commission: In Search of a Regulatory Pattern.” <i>Colum. JL & Soc. Probs.</i> 12 (1975): 393

D-301	Lockton, Daniel. Architectures of Control in Consumer Product Design
D-302	Vogel, David. When Consumers Oppose Consumer Protection: The Politics of Regulatory Backlash <i>Journal of Public Policy</i> , Vol. 10, No. 4 (Oct. - Dec., 1990), pp. 449-470 Published by: Cambridge University Press
D-303	Hall, Frank. Safety Interlocks – The Dark Side. <i>Triodyne Safety Brief</i> . (1992).
D-304	Young S., Frantz, P, & Rhoades T. (2002) Behavioral Adaptation: Unintended Consequences of Safety Interventions. <i>Proceedings of the Human Factors & Ergonomics Society</i> . vol. 46 no. 10, 895-899
D-305	Barnett, R. & Hamilton, B., (1982) Philosophical Aspects of Dangerous Safety Systems. <i>Society of Automotive Engineers – Safety Series</i> . September 1983
D-306	Human Factors Perspectives on Warnings, Volume I: Selections from Human Factors and Ergonomics Society Meetings 1980-1993 (1993)
D-307	Human Factors Perspectives on Warnings, Volume 2: Selections from Human Factors and Ergonomics Society Proceedings 1994-2000 (2000)
D-308	Warnings and Risk Communication (2005)
D-309	Handbook of Warnings (2006)
D-310	Rauschenberger, R., Sala, J., and Wood, C. (2015) Product warnings and the involuntary capture of attention. <i>Proceedings of the Human Factors and Ergonomics Society Annual Meeting</i> , vol. 59, 1423-1427
D-311	Chen, J., Gilson, R., and Mouloua, M. (1997) Perceived risk dilution with multiple warnings. <i>Proceedings of the Human Factors and Ergonomics Society Annual Meeting</i> , vol. 41, 831-835.
D-312	Frantz, J., Rhoades, T., S. Young, and Schiller, J. (1999) Potential Problems Associated with Overusing Warnings. <i>Proceedings of the Human Factors and Ergonomics Society Annual Meeting</i> , vol. 43, 916-920
D-313	Barnett, R. & Hamilton, B., (1982) Philosophical Aspects of Dangerous Safety Systems. <i>Society of Automotive Engineers – Safety Series</i> . September 1983.
D-314	Allstate's Amended Complaint
D-315	Electrolux's Answer to Allstate's Amended Complaint with Affirmative Defenses
D-316	Allstate's Answers to Electrolux's Interrogatories
D-317	Allstate's Responses to Electrolux's Request for Production of Documents and documents produced by Allstate in discovery
D-318	Allstate's Rule 26(a)(1) Disclosures and documents produced by Allstate
D-319	Electrolux's Responses to Allstate's First Set of Requests for Production of Documents and documents produced by Electrolux in discovery, including EHP-Allstate PA Consolidated 000001-001291, EHP-004383-008411, EHP-ALLSTA001292-071370 and EHP_SF0000001-0375244

D-320	Electrolux's Responses to Allstate's Second Set of Requests for Production of Documents and documents produced by Electrolux in discovery, including EHP-Allstate PA Consolidated 000001-001291, EHP-004383-008411, EHP-ALLSTA001292-071370 and EHP_SF0000001-0375244
D-321	Electrolux's Rule 26(a)(1) Disclosures and documents produced by Electrolux in discovery, including EHP-Allstate PA Consolidated 000001-001291, EHP-004383-008411, EHP-ALLSTA001292-071370 and EHP_SF0000001-0375244
D-322	Deposition transcript and exhibits of Anselmo Almodovar (taken May 18, 2017)
D-323	Deposition transcript and exhibits of Brunilda Almodovar (taken May 18, 2017)
D-324	Deposition transcript and exhibits of Rachael Bullene (taken May 11, 2017)
D-325	Deposition transcript and exhibits of Amanda Jackson (taken June 13, 2017)
D-326	Deposition transcript and exhibits of Benson Christie (taken February 24, 2017)
D-327	Deposition transcript and exhibits of Cynthia Christie (taken February 24, 2017)
D-328	Deposition transcript and exhibits of William Daywalt (taken June 12, 2017)
D-329	Deposition transcript and exhibits of Terry Fisher (taken June 16, 2017)
D-330	Deposition transcript and exhibits of Robert Gray (taken April 26, 2017)
D-331	Deposition transcript and exhibits of Elizabeth Gutierrez (taken July 23, 2014)
D-332	Deposition transcript and exhibits of Gerry Gutierrez (taken July 23, 2014)
D-333	Deposition transcript and exhibits of Daniel Quinn (taken April 25, 2017)
D-334	Deposition transcript and exhibits of Jennifer Quinn (taken April 25, 2017)
D-335	Deposition transcript and exhibits of Greg Venbrux (taken May 3, 2017)
D-336	Deposition transcript and exhibits of Salome Venbrux (taken May 3, 2017)
D-337	Deposition transcript and exhibits of Marc Weiss (taken February 27, 2017)
D-338	Deposition transcript and exhibits of Lisa Weiss (taken February 27, 2017)
D-339	Deposition transcript and exhibits of Dominic Campellone (taken September 12, 2017)
D-340	Deposition transcript and exhibits of Elizabeth Guano (taken September 8, 2017)

D-341	Deposition transcript and exhibits of Michael Stoddard (taken June 11, 2018)
D-342	Deposition transcript and exhibits of Michael Stoddard (taken July 13, 2018)
D-343	Deposition transcript and exhibits of William Vigilante, Ph.D. (taken June 15, 2018)

Electrolux reserves the right to use any exhibits identified by Allstate in this case and to amend and/or supplement its exhibit list prior to trial. Electrolux further reserves the right to use rebuttal exhibits not specifically identified herein based upon the testimony presented at trial.

VI. ESTIMATE OF THE NUMBER OF DAYS REQUIRED FOR TRIAL

Electrolux's case: 7-10 days

VII. SPECIAL COMMENTS REGARDING LEGAL ISSUES, STIPULATIONS, AMENDMENTS OF PLEADINGS, OR OTHER APPROPRIATE MATTERS

Motions *in limine* are due on January 8, 2018, which is also the deadline for the parties' Pretrial Memoranda. It is anticipated that Allstate will be filing Motions to preclude/limit expert testimony and to preclude certain evidence at trial. These motions will be resolved after Electrolux submits its Pretrial Memorandum and accordingly, Electrolux reserves the right to amend its Pretrial Memorandum depending on the disposition of the anticipated Motions *in limine*.

VIII. OBJECTIONS AS TO AUTHENTICITY

Pursuant to Local Rule 16.1(d)(1)(a), Electrolux objects to the authenticity of the following exhibits identified on Plaintiffs' exhibit list. Electrolux reserves the right to raise additional objections to Plaintiffs' exhibits at the time of trial.

P146 – Electrolux Report re: Personal Injury Death Dryer Fire Claims (no Bates)

P147 – Electrolux Report re: Dryer Fires 1995-2002 (no Bates)

P148 – 7/25/94 Whirlpool Letter to U.S. CPSC (no Bates)

P149 – 8/29/95 Patent Number 5,444,924 Air Blockage Sensor

P150 – 8/29/95 Patent Number 5,444,996 Washer Dryer Communication

P151 – 7/15/10 Patent Application Publications No. US 2010/0175898 A1 Fire Protection System for Clothes Dryer

P152 – 6/7/94 Patent Number 5,317,816 Air Duct Structure for Clothes Dryer

P153 – 3/8/94 Patent Number 5,291,667 Electronic Control for Dryer Air Blockage

P154 – November 1994 Patent Number 5,363,569 Bearing and Seal Assembly for Clothes Drum

P186 – Documents Produced by Association of Home Appliance Manufacturers

P405 – EHP Smart Choice Flexible Foil Transition Duct Photographs

P406 – Exemplar Smart Choice Flexible Foil Clothes Dryer Transition Duct in its Original OEM Packaging

P407 – Exemplar Electrolux Universal Venting Kit (Vinyl Duct))

P412 – Exemplar Dryer Components (Plastic and Metal Ducts, Blower Housings and Fans from Electrolux)

P413 – Exemplar Dryer Components (Plastic and Metal Ducts, Blower Housings and Fans for Whirlpool)

P431 – Chart summarizing Warranty Data Information

P433 – Laundry Center – Rear Warning Tag

P434 – Laundry Center Dryer Warning Plate

P435 – Laundry Center Hang Tag

P436 – Laundry Center Drum Opening Label

P437 – Laundry Center Rear Label (Newer)

P438 – Laundry Center Rear Label

P441 – Example Warning Speed Queen Warning Label (orange format)

P442 – Example Warning Whirlpool Warning Label 1997 (orange format)

P443 – Example Warning Whirlpool Warning Label 2006 (orange format)

P444 – Example Warning Kenmore Warning Label 2006 (orange format)

P445 – Whirlpool Refrigerator Manual 2002 (p. 11)

P446 – Whirlpool Refrigerator Manual 2003 (p. 11)

P447 – Fisher Paykel Dryer Manual 2005 (pgs. 44 and 49)

P448 – Bosch Nexxt WTMC 2005 Manual (pgs. 14, 20, 23 and 24)

P449 - Maytag Intellidry Dryer MD-5 Manual 2000 (pgs. 4, 5 and 8)

P450 – Meili T-1302 Manual 2005 (pgs. 5, 15 and 17)

P451 – Honeywell Thermostat Manual 2002 (pgs. 4, 9 and 10)

P452 – Electrolux Use and Care Manual 2009 (pgs. 4 and 19)

P453 – Electrolux Use and Care Manual 2012 (pgs. 3 and 15)

P454 – Electrolux Use and Care Manual 2017 (pgs. 4 and 19)

P457 – 3/19/15 Electrolux Venting Kit: Electrolux-Store.com

P458 – 3/19/15 Lambro 485P Dryer Transition Duct – Sears web page

P459 – 3/19/15 Imperial 4-In Dryer Vent – Lowe’s web page

P462 – Documents and References regarding Consumer Knowledge

P464 – Exemplar Ball-Hitch Gas Dryer (New/Clean)

P465 - Electrolux Ball-Hitch Electric Dryer (New/Clean)

P466 - Exemplar Ball-Hitch Gas Dryer (Used)

P467 - Electrolux Ball-Hitch Electric Dryer (Used)

P468 – Electrolux Laundry Center Gas Dryer

P469 - Electrolux Laundry Center Electrolux Dryer

P470 – Exemplar Electrolux Bulkhead Dryer

P471 – Exemplar Whirlpool Bulkhead Dryer – Top Mount Screen

P472 – Exemplar Maytag Bulkhead Dryer

P473 – Exemplar Samsung Bulkhead Dryer

P474 – Exemplar Ball Hitch Dryers

P475 – Exemplar Bulkhead Dryers

P479 – Temperature Testing Data/Photographs of Temperatures at Top of Heat Duct

P484 – Fire Containment Video / Photographs 2007

P485 – Fire Containment Video / Photographs 2013

P486 - Fire Containment Video / Photographs 2007 (Condensed Version)

P487 - Fire Containment Video / Photographs 2013 (Condensed Version)

P489 – Whirlpool Dryer Operation Animation Video

P492 – Lint Ignition Video (Electrolux Gas Dryer)

P493 – Video Showing Combustion of Plastic Parts

P495 – Fire Containment Video (Base Fire)

P496 – Video/Photographs of Component Fire Testing

P497 - Video/Photographs of Component Fire Testing (Condensed Version)

P498 – Animation of Electrolux Dryer Fire

P500 – Electrolux Venting Kit Webpage “Most people don’t know that lint can build up around the hearing element and cause a fire”

P501 – Photograph of Whirlpool Clothes Dryer “Check Vent” Indicator Light

P503 – Photographs of Alternative Materials/Components

P506 – Maintenance Reminder Test Video (July 2014)

P522 – Travelers Statistical Data and Changes from Deposition Testimony of David Beauregard of Travelers taken 2/5/10, marked as Defendant’s Exhibit C

P525 – Whirlpool Product Safety Tools Training Manual, May 2012

P540 – 4/9/13 Dryer Energy Conservation Annual Info

P613 – 12/15/04 Notice to Customers re Announcement Concerning Fire Accidents and Free Inspection of the White Westinghouse Gas Clothes Drier (no Bates number)

NICOLSON LAW GROUP LLC

BY: /s/ Melissa L. Yemma
CHERYL M. NICOLSON, ESQ.
Attorney I.D. No. 57422
MELISSA L. YEMMA, ESQ.
Attorney I.D. No. 92194
Rose Tree Corporate Center II
1400 N. Providence Road, Suite 6035
Media, PA 19063
(610) 891-0300
nicolson@nicolsonlawgroup.com
yemma@nicolsonlawgroup.com

JONATHAN F. FECZKO, ESQ.
Admitted *Pro Hac Vice*
TUCKER ELLIS LLP
950 Main Avenue, Suite 1100
Cleveland, OH 44113
(216) 696-3161
jonathan.feczko@tuckerellis.com

*Attorneys for Defendant Electrolux Home
Products, Inc.*

DATE: January 22, 2019

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLSTATE INSURANCE COMPANY; ALLSTATE	:	
INDEMNITY COMPANY; ALLSTATE PROPERTY &	:	
CASUALTY INSURANCE COMPANY; ALLSTATE	:	NO. 5:16-cv-04276-EGS
VEHICLE & PROPERTY INSURANCE COMPANY	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
ELECTROLUX HOME PRODUCTS, INC.	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Defendant, Electrolux Home Products, Inc.'s Amended Pretrial Memorandum was served electronically on the date stated below, upon the following:

Raymond E. Mack, Esquire
Patrick A. Hughes, Esquire
de Luca Levine, LLC
Three Valley Square
512 E. Township Line Road, Suite 220
Blue Bell, PA 19422

NICOLSON LAW GROUP LLC

BY: /s/ Melissa L. Yemma
CHERYL M. NICOLSON, ESQ.
Attorney I.D. No. 57422
MELISSA L. YEMMA, ESQ.
Attorney I.D. No. 92194
Rose Tree Corporate Center II
1400 N. Providence Road, Suite 6035
Media, PA 19063
(610) 891-0300
nicolson@nicolsonlawgroup.com
yemma@nicolsonlawgroup.com

JONATHAN F. FECZKO, ESQ.
Admitted *Pro Hac Vice*
TUCKER ELLIS LLP

950 Main Avenue, Suite 1100
Cleveland, OH 44113
(216) 696-3161
jonathan.feczko@tuckerellis.com

*Attorneys for Defendant Electrolux Home
Products, Inc.*

DATE: January 22, 2019